IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WA.No. 2977 of 2002()

AGAINST THE JUDGEMENT IN OP.26253/2002 Dated 04/12/2002
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APPELLANT: PETITIONER:

JENCY F., D/O. FRANCIS ANDREWS,
MOOLAKANDATHIL HOUSE, GANAPATHI TEMPLE ROAD,
VADUTHALA, KOCHI-23, (AS APPELLANT IS
MINOR SHE IS BEING REPRESENTED BY HER FATHER
FRANCIS ANDREWS, S/O. ANDREWS, AGED 56 YEARS).

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SMT.A.G.ANEETHA

RESPONDENTS: RESPONDENTS:
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1. DIRECTOR, CUSAT CENTRE FOR ENGINEERING
STUDIES, COCHIN UNIVERSITY,
THRIKKAKARA, KOCHI-22.

2. THE COMMISSIONER OF ENTRANCE
EXAMINATIONS FOR ENGINEERING, GANDHINAGAR,
HOUSING BOARD BUILDINGS, THIRUVANANTHAPURAM.

ADDL.3. STATE OF KERALA, REP. BY SECRETARY
HIGHR EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.
ADDL R3 IMPLEADED AS PER ORDER DT.18.12.06 IN CMP 8038/02

BY GOVERNMENT PLEADER SRI.BENNY GERVASIS
SRI.S.GOPAKUMARAN NAIR, SC, COCHIN UTY.
SRI.SUNIL CYRIAC, SC, COCHIN UNIVERSITY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.2977 of 2002
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Dated this the 26th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

This Writ Appeal arises from the judgment in O.P.No.26253 of 2002. Original Petition was preferred seeking a writ of mandamus directing the respondents to consider Ext.P2 mark list in the counselling held on 17.9.2002. Petitioner was granted admission for B.Tech. Course on the basis of an interim order passed by this Court. University has taken up the stand that the petitioner had passed the qualifying examination only after the interview. Learned single Judge found no merits in the Original Petition and the same was dismissed.

2. By virtue of an interim order passed by the Division Bench petitioner was admitted to the course and she has now passed the course with first class. University has also issued a certificate and it is stated that she is engaged as an Instructor in an Institution. Since the petitioner has already completed the course and a certificate has been issued to her and she is gainfully employed, we are inclined to set

aside the judgment of the learned single Judge and allow this appeal. University will take further follow up action to regularise her admission.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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